

APR 14 2008

# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provided for the continued examination of a utility or plant application filed on or after June 8, 1995.

Application Number	10/790,210
Filing Date	March 2, 2004
First Named Inventor	KINEMURA, Hiroyuki, et al.
Group Art Unit	2622
Name of Examiner	HENN, Timothy J.
Attorney Docket No.	040096

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

Note: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (PTO/SB/28) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14866 (Mar 20, 2000) 1233 Off. Gazette Pat. Office (April 11, 2000) which established RCE practice.

## 1. Submission Required Under 37 C.F.R. § 1.114

- a. ☒ Previously submitted
- i. ☒ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on: January 3, 2008  
(Any unentered amendment(s) referred to above will be entered )
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- b. ☒ Enclosed
- i. ☐ Amendment/Reply 04/15/2008 HARRIZI 00000007 012340 10790210
- ii. ☐ Affidavit(s)/Declaration(s) 01 FC:1801 810.00 DA
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☒ Petition for Extension of Time

## 2. Miscellaneous

- a. ☐ Suspension of Action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months (period shall not exceed three months; Fee under 37 C.F.R. § 1.17(l) required)
- b. ☐ Other \_\_\_\_\_

## 3. Fees The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☒ The Commissioner is hereby authorized to charge the following fees, and additional fees, or credit any overpayments, to Deposit Account No. 01-2340.
- i. ☒ RCE fee required under 37 C.F.R. § 1.17 (e) (\$810.00)
- ii. ☒ Extension of Time Fee (37 C.F.R. §§ 1.136 and 1.17) (\$1,050.00)
- iii. ☐ Other \_\_\_\_\_
- b. ☐ Check in the amount of \$ is enclosed.

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Atty Docket No.

040096

**SIGNATURE BY APPLICANT, ATTORNEY, OR AGENT REQUIRED**Name **James N. Baker**Registration No. **40,899** (atty/agent)

Signature

Date **April 14, 2008****CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, MAIL STOP RCE, Washington, D.C. 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on:

Name

Signature